

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney John Darling on June 1, 2009.

The application has been amended as follows:

IN THE SPECIFICATION:

On Page 1, Line 1, please insert the following heading and paragraph:

-- Cross Reference to Related Applications

This application is a continuation of U.S. Application No. 09/504,220, filed February 15, 2000, now U.S. Patent 6,374,826, which is a Continuation-In-Part of U.S. Design Application No. 29/115,618, filed December 16, 1999, now Design Patent No. 443,355, the specification and drawings of which are incorporated herein by reference. --.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

The prior art made of record does not disclose or teach a respiratory mask assembly having the specific structure and relationship as claimed in claims 33 and 87 including a trailing portion that has a pair of spaced side portions a cross bar extending transversely there between, a leading portion including a cantilevered member

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extending from an intermediate portion of the cross piece toward the trailing portion of the male connector portion, and the cantilever portion including a locking element extending outwardly.

The prior art made of record does not disclose or teach a respiratory mask assembly having the specific structure and relationship as claimed in claims 39 and 99 including a male connector having a resiliently biased cantilever member depending from the leading end portion of the male connector and being lockable with said female connector and the press-release connection between the mask frame and the straps.

The prior art made of record does not disclose or teach a respiratory mask assembly having the specific structure and relationship as claimed in claims 62 and 63 including the mask frame including a pair of inclined side wall portions and a base configured to define an upper vertex portion providing by an intersection of the inclined side wall portions and a pair of laterally spaced lower vertex portions provided by intersections of respective inclined side portions and the base portion and an extension portion providing an arcuate front wall member having a slot formed therein and being oriented parallel to the extension on member.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Annette F. Dixon whose telephone number is (571) 272-3392. The examiner can normally be reached on Monday thru Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu can be reached on (571) 272-4835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Annette F Dixon
Examiner
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Examiner, Art Unit 3771

/Justine R Yu/
Supervisory Patent Examiner, Art Unit 3771